

KANSAS STATE PROFILE

Prepared with an interest in protecting the health and innocence of children, this profile provides an overview of sex education in Kansas, including:

- I. Chart showing [legal requirements for sex education](#) in this state
- II. [Profile of federal funding](#) the state has been awarded for sex education
- III. Chart of federally funded [programs/curricula used in state schools](#)
- IV. Overview of the state's [sex education legislation/guidelines](#)
- V. List of [how parental rights are being undermined](#) in this state
- VI. [News articles](#) regarding sex education in the state
- VII. [Opt-out form](#) to protect your child from comprehensive sexuality education (CSE)
- VIII. Suggestions for how you can [help protect child health and stop CSE](#)
- IX. [Resources](#) for up-to-date information about sex education in this state
- X. Contact information to [connect with others](#) who are concerned about this issue.



I. LEGAL REQUIREMENTS FOR SEX EDUCATION IN KANSAS

LEGISLATIVE REQUIREMENTS	YES	NO	N/A	LEGISLATIVE CODE
Sex Education Required		X		72-3218
Sex Education Optional			X	
If/When Provided, Sexual Education Must:				
Be Medically Accurate*			X	
Be Age Appropriate			X	
Be Evidence-based			X	
Be Culturally Appropriate and Unbiased			X	
Reference/Stress Abstinence**	X			Standard 1, Benchmark 4, pg. 47
Include HIV Education			X	
Be LGBTQ Inclusive			X	
Include safety against sexual abuse			X	
Parental Role in Sexual Education:				
Parents must be notified	X			Pg. 55/56
Parent Involvement			X	
Access to review curriculum	X			Pg. 55/56
Opt-In			X	Pg. 55
Opt-Out Option	X			Pg. 56

*See each state's definition of "medically accurate."

**While requirement may say "abstinence-based" or to "stress abstinence" as the standard, many CSE programs only mention abstinence in passing; they don't establish abstinence as the expected standard and fail to emphasize abstinence as the only sure way to protect against pregnancy and sexually transmitted diseases, including AIDS.

Note: This state profile has been prepared by Family Watch International and the Protect Child Health Coalition. While the information provided is as accurate as possible and is updated annually, **check the Resources listed below for any updates.** Also, **please alert us** if you are aware of any changes, proposed legislation or issues regarding CSE that may be occurring in your state by completing the contact form at StopCSE.org/Kansas by emailing StopCSE@FamilyWatch.org.



II. KANSAS SEX EDUCATION FEDERAL FUNDING PROFILE

Federal Government Programs and Grants Awarded for Kansas

WARNING: While grant requirements may state that curricula/programs are to be “evidence based” or “medically accurate” in order to receive funding, research shows that, often, funds go to curricula/programs that are ineffective (See SexEdReport.org). In addition, content analyses show that many programs (Link to harmful CSE elements chart) normalize teen sex, encourage sexual pleasure-seeking, condone early sexual debut and promote high-risk sexual behaviors. ***It is important to look at the actual content of every curricula rather than relying on labels assigned to them.***

DASH—Division of Adolescent and School Health, a division of the Centers for Disease Prevention (CDC), works with community partners to provide training and resource development for so-called “HIV, STD, and pregnancy prevention” programs in school-based and community settings.

- Kansas received DASH funds totaling \$74,902 in fiscal year 2016.

PREP—The Personal Responsibility Education Programs, under the Family and Youth Services Bureau (FYSB), provides grants for sex education programs that are sometimes called “abstinence plus” programs and that focus on “both abstinence and contraception.”

- Kansas received NO PREP funds in fiscal year 2017.

SRAE—Sexual Risk Avoidance Education grants go to curricula/programs that emphasize risk avoidance and teach youth to voluntarily refrain from non-marital sexual activity and other risky behaviors. Note: See warning above.

- Kansas received \$414,302 in SRAE program funds in 2016.

Title V—The TITLE V State Abstinence Education Grant Program funds abstinence education and mentoring to promote abstinence. However, note that at least one Title V program promotes promiscuity as healthy and normal. As noted above, **it is important to look at the actual content of the curricula.**

- Kansas received a Title V award totaling \$543,079 in fiscal year 2017.ⁱ

TPP—The Teen Pregnancy Prevention program, through the Office of Adolescent Health (OAH), funds comprehensive sex education programs for children aged 10 to 19. Note:

Research shows that most TPP programs are ineffective at reducing pregnancy rates and some even increase risk. (See SexEdReport.org)

- Kansas received NO TPP funds for years 2015-2019.ⁱⁱ



III. FEDERALLY FUNDED SEX EDUCATION PROGRAMS IN KANSAS

Note: Programs in **red** text have been analyzed and found to contain harmful content for children. Programs not in red may or may not have harmful content.

See examples exposing harmful content in various CSE curricula and materials at www.stopcse.org/cse-materials-index/. For example, the analysis of [Making a Difference](#), shows CSE programs sexualize children and encourage promiscuity and risky sexual behavior, typically without providing medically accurate information about the long-term risks associated with early sexual debut and experimentation.

Federally Funded Sex Education Programs / Curricula in Kansas

Funding Source	Program or Curriculum	Funding Recipient
TITLE V	All Stars	The Kansas State Department of Health and Environment's Bureau of Family Health
TITLE V	Healthy Relationships	The Kansas State Department of Health and Environment's Bureau of Family Health
TITLE V	Healthy Empowering Adolescent Relationship Training (HEART)	The Kansas State Department of Health and Environment's Bureau of Family Health
SRAE	Relationship Smarts PLUS	Kansas State University (KSU)

See stopcse.org/cse-materials-index/ for a menu of examples and analyses exposing the harmful elements to children of specific curricula and other CSE materials.



IV. OVERVIEW OF KANSAS SEX EDUCATION LEGISLATION & GUIDELINES

The following laws and guidelines apply to sex education and how sex education is taught in Kansas.

According to Kansas 2017 Statute 72

72.255 The state board of education shall:

Adopt and maintain standards, criteria, guidelines or rules and regulations for courses of study and curriculum.

Senate bill 56 under the "Crime and Punishment (title 21-6402)"

Crimes against the Public Morals

21-6402. Promotion to minors of material harmful to minors. (a) No person having custody, control or supervision of any commercial establishment shall knowingly:

- (1) Display any material which is harmful to minors in such a way that minors, as a part of the invited general public, will be exposed to view such material or device;
- (2) present or distribute to a minor, or otherwise allow a minor to view, with or without consideration, any material which is harmful to minors; or
- (3) present to a minor, or participate in presenting to a minor, with or without consideration, any performance which is harmful to a minor.

(b) Violation of this section is a class B nonperson misdemeanor.

(c) Notwithstanding the provisions of K.S.A. 2017 Supp. 21-5204, and amendments thereto, to the contrary, it shall be an affirmative defense to any prosecution under this section that:

- (1) The allegedly harmful material or device was purchased, leased or otherwise acquired by a public, private or parochial school, college or university, and that such material or device was either sold, leased, distributed or disseminated by a teacher, instructor, professor or other faculty member or administrator of such school as part of or incident to an approved course or program of instruction at such school;
- (2) the defendant is an officer, director, trustee or employee of a public library and the allegedly harmful material or device was acquired by a public library and was disseminated in accordance with regular library policies approved by its governing body;
- (3) an exhibition in a state of nudity is for a bona fide scientific or medical purpose, or for an educational or cultural purpose for a bona fide school, museum or library;

- (4) with respect to a prosecution for an act described by subsection (a)(1), the allegedly harmful material was kept behind blinder racks;
- (5) with respect to a prosecution for an act described by subsection (a)(2) or (3), the defendant had reasonable cause to believe that the minor involved was 18 years old or over, and such minor exhibited to the defendant a draft card, driver's license, birth certificate or other official or apparently official document purporting to establish that such minor was 18 years old or more; and
- (6) with respect to a prosecution for an act described by subsection (a)(3), the allegedly harmful performance was viewed by the minor in the presence of such minor's parent or parents or such minor's legal guardian.
- (d) As used in this section:
- (1) "Blinder rack" means a device in which material is displayed in such a manner that the lower 2/3 of the material is not exposed to view;
- (2) "harmful to minors" means that quality of any description, exhibition, presentation or representation, in whatever form, of nudity, sexual conduct, sexual excitement or sadomasochistic abuse when the material or performance, taken as a whole or, with respect to a prosecution for an act described by subsection (a)(1), that portion of the material that was actually exposed to the view of minors, has the following characteristics:
- (A) The average adult person applying contemporary community standards would find that the material or performance has a predominant tendency to appeal to a prurient interest in sex to minors;
- (B) the average adult person applying contemporary community standards would find that the material or performance depicts or describes nudity, sexual conduct, sexual excitement or sadomasochistic abuse in a manner that is patently offensive to prevailing standards in the adult community with respect to what is suitable for minors; and
- (C) a reasonable person would find that the material or performance lacks serious literary, scientific, educational, artistic or political value for minors;
- (3) "material" means any book, magazine, newspaper, pamphlet, poster, print, picture, figure, image, description, motion picture film, record, recording tape or video tape;
- (4) "minor" means any unmarried person under 18 years of age;
- (5) "nudity" means the showing of the human male or female genitals, pubic area or buttocks with less than a full opaque covering; the showing of the female breast with less than a full opaque covering of any portion thereof below the top of the nipple; or the depiction of covered male genitals in a discernible state of sexual excitement;
- (6) "performance" means any motion picture, film, video tape, played record, phonograph, tape recording, preview, trailer, play, show, skit, dance or other exhibition performed or presented to or before an audience of one or more, with or without consideration;
- (7) "sadomasochistic abuse" means flagellation or torture by or upon a person clad in undergarments, in a mask or bizarre costume or in the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed;

(8) "sexual conduct" means acts of masturbation, homosexuality, sexual intercourse or physical contact with a person's clothed or unclothed genitals or pubic area or buttocks or with a human female's breast; and

(9) "sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

(e) The provisions of this section shall not apply to a retail sales clerk, if such clerk has no financial interest in the materials or performance or in the commercial establishment displaying, presenting or distributing such materials or presenting such performance other than regular employment as a retail sales clerk. The provisions of this section shall not exempt any retail sales clerk from criminal liability for any act unrelated to regular employment as a retail sales clerk.

Age of Majority =

Based on Kansas law, anyone under the age of 18 is considered a minor, while those 18 years old and older are considered adults.ⁱⁱⁱ

Age of Consent =

In Kansas, the age when children can legally consent or agree to sex is 16.^{iv}



V. PARENTAL RIGHTS AT RISK IN KANSAS

Warning! Most CSE programs put parental rights at risk by either encouraging or requiring that parents not be notified and/or by instructing children how to access such things as abortion, contraception and other so-called health services **without parental notification or consent**.

It is particularly dangerous to encourage students in this way, particularly considering the fact the laws often support what is being taught in CSE programs. For example:

Without notifying or receiving consent from their parents, minor children in Kansas may consent to and receive:

- Some contraceptive services
- All STI (sexually transmitted infection) (Health care providers may inform minor's parents, but are not required to.)
- Some prenatal care services

In Kansas, parental consent is required for: Abortion services



VI. NEWS HEADLINES FROM KANSAS

May 2, 2018 - “Delegates Focus on Sexual Education, Preventing STIs”

<https://www.aafp.org/news/inside-aafp/20180502nccl-hops.html>

February 13, 2017 - “Kansas group working to change sex education in schools”

<http://www.wibw.com/content/news/Kansas-group-working-to-change-sex-education-in-schools-413647503.html>

February 26, 2017 - “LGBT inclusion in sex education for Kansas public schools”

<https://www.ksnt.com/news/lgbt-inclusion-in-sex-education-for-kansas-public-schools/901273071>

March 7, 2016 – “Kansas lawmakers scrutinize sexual education curriculum; Lawrence superintendent opposed to changes”

<http://www2.ljworld.com/news/2016/mar/07/kansas-lawmakers-scrutinize-sexual-education-curri/>

March 3, 2016 – “New Kansas Law Would Make It a Crime to Teach Sex Ed, Classical Art, and Shakespeare”

www.vice.com/en_us/article/qbe7nw/kansas-is-voting-on-a-bill-that-will-ban-any-book-that-talks-about-sex-from-public-schools



VII. OPT-OUT FORM

By signing a parental non-consent form, also known as an opt-out form, parents can protect their children from being subjected to harmful CSE programs. Download and print the provided form and modify it as needed (see included instructions). Sign it and take it to your child’s school, and ask that it be put on file as part of your child’s permanent record and that all teachers and instructors be notified.

A sample opt-out form, provided by Liberty Counsel, along with instructions for use, can be found at: stopcse.org/kansas



VIII. GET INVOLVED TO STOP CSE

You can get involved to stop CSE and protect the health and innocence of children across the U.S. and in countries around the world:

1. Sign the Stop CSE petition at stopcse.org/petition/
2. Watch the “War Against Children” documentary and share this link to the documentary with your friends and neighbors at stopcse.org/film/
3. Connect with others in your state who are working to Stop CSE in your schools to see how you can get involved. Go to stopcse.org/kansas to connect.



IX. RESOURCES

- Kansas 2017 Statute Title/Chapter 72 Education - http://www.kslegislature.org/li/b2017_18/statute/072_000_0000_chapter/
- Kansas 2017 Statutes - http://www.kslegislature.org/li/b2017_18/statute/
- Kansas Health Education Standards from the Department of Education (see pages 38-55) - http://www.kshealthykids.org/HKS_Menus/HKS_Standards.html
- Kansas Legislation - <http://www.kslegislature.org/li/>
- Legislation websites by state - <https://www.congress.gov/state-legislature-websites>
- U.S. Department of Health and Human Resource TPPP page - <https://www.hhs.gov/ash/oah/grant-programs/teen-pregnancy-prevention-program-tpp/current-grantees/index.html>
- U.S. Department of Health and Human Resource other state funding - <https://www.acf.hhs.gov/fysb/resource-library/search#?area%5B1981%5D=1981&type%5B5168%5D=5168&sort=recent&ajax=1>
- TPPP Funding - <https://www.hhs.gov/ash/oah/grant-programs/teen-pregnancy-prevention-program-tpp/about/index.html>

- Abstinence Education Grant Program Medical Accuracy Guide - https://www.acf.hhs.gov/sites/default/files/fysb/medical_accuracy_aegp.pdf

Additional Resources:

- DOCUMENTARY: *The War on Children: The Comprehensive Sexuality Education Agenda* (FWI Documentary) – <https://stopcse.org>
- STUDY: Re-Examining the Evidence: School-based Comprehensive Sex Education in the United States (IRE Study) – www.sexedreport.org
- REPORT: An Evidence-Based Response to a Critique of Abstinence Education (IRE Report) - https://www.comprehensivesexualityeducation.org/wp-content/uploads/IRE_Response_To_Santelli_Article_4-20-18.pdf



X. CONNECT WITH OTHERS

Let us put you in contact with other people and organizations who are actively involved in helping to protect the health and innocence of children.

Fill out the contact form on www.stopcse.org/kansas or email us your name, city, state, school district, and any questions or concerns you may have and we will put you in contact with people from your state or one of our national representatives.

Email Address: StopCSE@familywatch.org

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ⁱ U.S. Department of Health and Human Services <https://www.acf.hhs.gov/fysb/resource-library/search#?area%5B1981%5D=1981&type%5B5168%5D=5168&sort=recent&ajax=1>

ⁱⁱ <https://www.hhs.gov/ash/oah/grant-programs/teen-pregnancy-prevention-program-tpp/about/index.html>

ⁱⁱⁱ <http://statelaws.findlaw.com/family-laws/legal-ages.html>

^{iv} <https://www.legalmatch.com/law-library/article/age-of-consent-by-state.html?intakeredesigned=1>